

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF
AMERICA,

Plaintiff,

v.

WILEY BAXTER GOLDEN,

Defendant.

CASE NO 2:92-CR-00371-MJP

ORDER ON MOTION FOR
RECONSIDERATION

The Court has received and reviewed Defendant's motion for reconsideration (Dkt. No. 49) of the Court's order denying his request for relief from his restitution obligation. Dkt. No. 48.

Mr. Golden takes exception to the Government's characterization of his progress toward restitution. The Government attached a "Case Inquiry Report" to their response to Defendant's original motion which reflected a payment of \$50.00 towards Defendant's \$11,143.00 restitution

obligation. Decl. of A. Bartlett, Dkt. No. 47. Defendant, in his request for reconsideration, attached copies of multiple receipts indicating restitution payments well in excess of \$50.00.

The Court is uncertain as to where the truth lies concerning the extent of Defendant's progress toward restitution, and urges the Defendant and the Government to communicate further and resolve this misunderstanding regarding the outstanding balance of Mr. Golden's restitution. The Court is certain, however, that whether Defendant has paid \$50.00 or \$5,000.00 towards his restitution will not affect the underlying rationale of the Court's denial of his request, which had nothing to do with how much restitution had been paid and everything to do with the Court's understanding that it has no jurisdiction to modify a restitution order contained in a final judgment.

Defendant's motion for reconsideration is DENIED.

The clerk is ordered to provide copies of this order to all counsel.

Dated this 22nd day of March, 2011.



Marsha J. Pechman
United States District Judge